



CEDAR CITY

10 NORTH MAIN • CEDAR CITY, UTAH 84720
435-586-2950 • FAX: 435-586-4362
www.cedarcity.org

Mayor

Joe Burgess

Council Members

Ronald R. Adams
Nina R. Barnes
Georgia Beth Thompson
John R. Westwood
Steve Wood

City Manager

Ronald F. Chandler

April 7, 2011

Mr. Lee H. Sim, P.E.
Assistant State Engineer for Field Services
Department of Natural Resources
State of Utah
1594 West North Temple
Suite 2200
P.O. Box 146300
Salt Lake City, Utah 84114-3600

Re: Coal Creek Diversion Structure in the Vicinity of the Iron Mission

Dear Mr. Sim:

I am in receipt of your letter dated March 24, 2011 regarding the Water Commissioner's access to the referenced diversion structure. You stated in your letter that "the City has now fenced areas that restrict and prevents him from conducting....his required duties. It is my understanding that it was not the City that installed the fence that restricted the Water Commissioner's access. The fence that restricted the access was actually installed by the State of Utah Division of Parks and Recreation. That legal access for the Water Commissioner is designated on the attached deed that was recorded when Cedar City gave the property to the Division of Parks and Recreation.

Since the legal access was fenced Cedar City has tried to accommodate the Water Commissioner with an alternate access through City and County Property. The Water Commissioner said that he would rather deal with one locked gate instead of two and use the alternate access, which we understand. The City will continue to try to accommodate the Water Commissioner with the alternate access. However, the City would much prefer that the Water Commissioner use the legal and recorded access that he used before it was fenced. Neither the City of the County would want a right of use access established on our properties that is not recorded.

RECEIVED

APR 13 2011

WATER RIGHTS
SALT LAKE

Administration
586-2953

Building and Zoning
865-4519

Economic Development
586-2770

City Engineer
586-2963

Parks & Recreation
865-9223

Public Works
586-2912

If the Water Commissioner still has to use the alternate access this needs to be coordinated with our Parks Superintendent Wally Davis at 435-233-0115. Please let me know if you have any questions or need help with this access issue.

Sincerely,



Joe Burgess, Mayor

RECEIVED
APR 13 2011
WATER RIGHTS
SALT LAKE